

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the amendments and the following discussion, is respectfully requested.

Claims 34-42 are pending in this case. Claims 34-36 are amended, Claims 37-42 are added, and Claims 16-27 are canceled by the present amendment. The changes to Claims 34-36 and the addition of Claims 37-42 are supported in the originally filed disclosure at least at Figures 3-5 and the related descriptions. Thus, no new matter is added.

The outstanding Office Action rejected Claims 16-27 under 35 U.S.C. § 112, second paragraph, and rejected Claims 16-27 and 34-36 under 35 U.S.C. § 103(a) as unpatentable over Kolls (U.S. Patent No. 6,615,183) in view of Short (U.S. Patent No. 6,462,839)¹.

The rejections of Claims 16-27 are moot in view of the cancelation of those claims. Applicant respectfully traverses the rejection of pending Claims 34-36 and addresses the patentability of new Claims 37-42 over the cited references.

Amended Claim 34 is directed to an information processing apparatus and recites:

a communications interface configured to
**communicate with a banner advertiser and an image
forming apparatus** via a network;
a distributing server configured to **distribute banner
advertisements from the banner advertiser to the image
forming apparatus**;
a counter database configured to **store a number of
banner advertisements displayed at the image forming
apparatus**; and
a charging server configured to **charge a fee to the
banner advertiser based on the number of banner
advertisements displayed at the image forming apparatus**.

Short is completely silent as to banner advertisements.

¹ A rejection under 35 U.S.C. § 102 is listed at page 2 of the outstanding Office Action but is noted as not applied at page 4 of the outstanding Office Action. Thus, a rejection under 35 U.S.C. § 102 is not addressed herein.

Knolls describes a vending system for image forming apparatuses and includes a description of advertisements displayed on the system 500 at the description of block 712, for example.

At column 23, lines 8-16, Kolls describes that a universal server, which may be a system 500, distributes advertising content over a network 600.

However, Kolls is silent as to an information processing apparatus comprising a distributing server configured to “**distribute banner advertisements from the banner advertiser to the image forming apparatus,**” because no apparatus is described by Kolls as distributing advertising content from one apparatus to another. Instead, an apparatus (universal server or system 500) is described as distributing advertising content to another apparatus in Kolls, presumably from itself.

Further, with reference to Fig. 19, Kolls describes that revenue generated by the advertisements may be used to offset transaction processing fees, charged to users by their credit card companies, for example. However, Kolls does not describe charging for the advertising content itself at all.

Thus, Kolls does not describe an information processing apparatus comprising a counter database configured to “**store a number of banner advertisements displayed at the image forming apparatus**” and also comprising a charging server configured to “**charge a fee to the banner advertiser based on the number of banner advertisements displayed at the image forming apparatus**” at all. In fact, the universal server or system 500 that distributes advertising content in Kolls acts as both the information processing apparatus and the banner advertiser such that it cannot charge itself for the advertising content.

Because Kolls and Short, even in combination, fail to teach or suggest at least the above-discussed features of amended Claim 34, Applicant respectfully requests that the rejection of Claim 34 under 35 U.S.C. § 103(a) be withdrawn.

Claims 35 and 36, though differing in scope and statutory class from Claim 34, patentably define over Kolls and Short for reasons similar to those discussed above with regard to Claim 34. Thus, Applicant respectfully requests that the rejection of Claims 35 and 36 under 35 U.S.C. § 103(a) be withdrawn.

New Claims 37 and 38 depend from Claim 34, new Claims 39 and 40 depend from Claim 35, and new Claims 41 and 42 depend from Claim 36. Thus, Claims 37-42 patentably define over Kolls and Short for at least the same reasons as Claims 34-36.

Further, Claims 37-42 define additional features that are also not taught or suggested by Kolls and Short.

For example, new Claim 37 recites “an ordering data collector configured to **collect data of a number of advertised products or services ordered from the image forming apparatus** in response to displayed banner advertisements for a corresponding products or services” and new Claim 38 recites that the charging server is further configured to “**charge a fee to the image forming apparatus based on the number of banner advertisements displayed** at the image forming apparatus, wherein **the fee to the image forming apparatus is discounted based on the number of advertised products or services ordered** from the image forming apparatus.”

As discussed above with reference to Fig. 19 of Kolls, Kolls describes transaction processing charges, which include credit card processing fees but are not described as including a fee for advertising content at all.

Further, as also discussed with reference to Fig. 19, Kolls describes an offset to the transaction processing fees based on revenue generated from advertisements, but, because Kolls does not describe charging a fee for the advertising content itself, Kolls does not and cannot describe an offset to the fee for the advertising content rather than for transaction processing fees.

Accordingly, the outstanding rejections are traversed and the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is, therefore, respectfully requested.

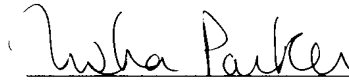
Respectfully submitted,

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